

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

A.O.A, et al.,	)	Case Nos. 4:11CV44 CDP
	)	4:11CV45 CDP
Plaintiffs,	)	4:11CV46 CDP
	)	4:11CV47 CDP
vs.	)	4:11CV48 CDP
	)	4:11CV49 CDP
DOE RUN RESOURCES	)	4:11CV50 CDP
CORPORATION, et al.,	)	4:11CV52 CDP
	)	4:11CV55 CDP
Defendants.	)	4:11CV56 CDP
	)	4:11CV59 CDP

ORDER

On January 10, 2010, I held an emergency, *ex parte* hearing on plaintiffs' motion for a temporary restraining order. Based on the evidence submitted in the motion and at the hearing, I granted plaintiffs' motion and entered their proposed temporary restraining order with amendments. I held another hearing on January 11 with counsel for both parties, however, to consider scheduling and discovery issues, and to give defendants' counsel an opportunity to offer arguments against the temporary restraining order. Upon reconsideration and after hearing counsels' arguments, I conclude that the temporary restraining order was improvidently granted. Although the evidence of the harassment in La Oroya, Peru, which includes physical attacks and targets plaintiffs, their counsel, and third parties, is very serious and indicates an organized effort to dissuade plaintiffs from pursuing this lawsuit, I conclude that there is no evidence in the record that any of this harassment is

ordered, directed, or controlled by defendants or their agents. Accordingly, I must vacate the temporary restraining order, and I will enter the following motions schedule.

For these reasons,

IT IS HEREBY ORDERED that the temporary restraining order [#19] entered January 10, 2011 is vacated.

IT IS FURTHER ORDERED that, no later than Monday, February 7, 2011, plaintiffs shall file their motion to remand. Defendants' briefs in opposition are due no later than thirty days following the motion, or Monday, March 7, 2011, whichever is earlier. Any reply brief may be filed no later than ten days following the opposition brief, or March 17, 2011, whichever is earlier.

IT IS FURTHER ORDERED that, no later than Monday, March 7, 2011, plaintiffs must file any motions for injunctive relief or protective orders, or motions for any discovery related to the harassment in La Oroya. Plaintiffs' counsel are also required to meet and confer with defendants' counsel in advance of this deadline with the objective that the parties formulate their own solutions in an effort to stop the harassment in La Oroya.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 11thth day of January, 2011.